

76-8-508.3. Retaliation against a witness, victim, or informant.

(1) As used in this section:

(a) A person is "closely associated" with a witness, victim, or informant if the person is a member of the witness', victim's, or informant's family, has a close personal or business relationship with the witness or victim, or resides in the same household with the witness, victim, or informant.

(b) "Harm" means physical, emotional, or economic injury or damage to a person or to his property, reputation, or business interests.

(2) A person is guilty of the third degree felony of retaliation against a witness, victim, or informant if, believing that an official proceeding or investigation is pending, is about to be instituted, or has been concluded, he:

(a) (i) makes a threat of harm; or

(ii) causes harm; and

(b) directs the threat or action:

(i) against a witness or an informant regarding any official proceeding, a victim of any crime, or any person closely associated with a witness, victim, or informant; and

(ii) as retaliation or retribution against the witness, victim, or informant.

(3) This section does not prohibit any person from seeking any legal redress to which the person is otherwise entitled.

(4) The offense of retaliation against a witness, victim, or informant under this section does not merge with any other substantive offense committed in the course of committing any offense under this section.

Enacted by Chapter 140, 2004 General Session